

PRESENTMENT DATE: 5/30/19
PRESENTMENT TIME: 12:00 NOON

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 11

Case No. 19-10481

New Generation Hair Desing Corp.,

Debtor

-----X

**NOTICE OF PRESENTMENT OF AN ORDER ESTABLISHING
DEADLINE FOR FILING PROOFS OF CLAIM AND APPROVING
THE FORM AND MANNER OF NOTICE THEREOF**

PLEASE TAKE NOTICE that upon the annexed application (the “Application”), of Irene M. Costello, Esq., attorney for New Generation Hair Desing Corp., the above-captioned Debtor and Debtor in Possession (the “Debtor”) hereby seeks approval for an order, pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3), establishing the deadline for filing proofs of claim and approving the form and manner of notice thereof (“Bar Date Order”), the Debtor will present the Bar Date Order for signature to the Honorable Sean H. Lane, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, United States Bankruptcy Court, One Bowling Green, New York, NY 10004 on **May 30, 2019 at 12:00 Noon.**

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the relief requested in the Motion must be made in writing, filed with the Court on the Court’s Electronic Case Filing System, at www.ecf.nysb.uscourts.gov (login and password required), with a copy delivered directly to Chambers and served upon Irene Costello, attorney for the Debtor, so as to be received no later than SEVEN (7) days before the Presentment Date.

PLEASE TAKE FURTHER NOTICE, that in the event that an objection is received, the Court may hold a hearing with respect to the signature of this Order, and the undersigned will inform any party filing an objection as to the date and time of the hearing.

Dated: White Plains, New York
April 30, 2019

Respectfully submitted,

By: /s/ Irene M. Costello
Irene M. Costello, Esq.
Cabanillas & Associates, P.C.
Attorneys for the Debtors
120 Bloomingdale Road, Suite 400
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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x

In re:

Chapter 11

Case No. 19-10481

New Generation Hair Desing Corp.,

Debtor

-----x

**APPLICATION FOR AN ORDER PURSUANT TO FEDERAL RULE
OF BANKRUPTCY PROCEDURE 3003(C)(3) ESTABLISHING THE
DEADLINE FOR FILING PROOFS OF CLAIM AND APPROVING
THE FORM AND MANNER OF NOTICE THEREOF**

**TO THE HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE:**

Irene M. Costello, Esq. an attorney at law duly admitted to the Southern District of New York affirms as follows:

1. I am the attorney for New Generation Hair Desing Corp., the debtor and debtor in possession in the above-captioned Chapter 11 case (the “Debtor”).

2. I hereby submit this Application for an order, pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3), establishing the deadline for filing proofs of claim and approving the form and manner of notice thereof (“Bar Date Order”).

3. This Court has subject matter jurisdiction to consider and determine this Application pursuant to 28 U.S.C. § 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

4. On February 15, 2019, the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code. The Debtor continues to operate its business as a debtor in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

5. The Debtor has continued in possession and the management of his business affairs as debtor-in-possession pursuant to §§1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner or statutory committee has been appointed.

6. The Debtor is a corporation.

RELIEF REQUESTED AND BASIS FOR RELIEF

7. As part of the Debtor's reorganization, it is essential that the Debtor determine and fix its liabilities so as to analyze potential claims and its classification, which will, in turn, further facilitate the Debtor's proposed plan of reorganization. The Debtor has heretofore filed schedules of assets and liabilities and statements of financial affairs with the Bankruptcy Court.

8. Therefore, the Debtor respectfully submits that it is necessary that an order be made and entered by this Court fixing a date by which certain claims must be filed by the holders thereof.

9. In order for the Debtor to properly proceed with a plan of reorganization, it is likewise necessary that creditors be advised that they must file their claims by a specific time. In that regard, the Debtor respectfully submits that an order setting the last day for filing claims is essential for proper administration of this case.

10. It is requested that the Court enter the pre-fixed proposed order submitted herewith as **Exhibit "A"** (the "Bar Date Order"). The proposed Bar Date Order provides that all claims as defined in §101(5) of the Bankruptcy Code, other than those specifically excepted by the proposed Bar Date Order, shall be filed with this Court, in writing, substantially in conformity with Official Bankruptcy Form B410 on or before a date to be determined by the Court, (the "Bar Date"), at the Office of the Clerk of the Bankruptcy Court.

11. The proposed Bar Date Order further provides that any creditors holding claims required to be filed pursuant to the provisions of said Order and not filed on or before the Bar Date shall be forever barred against the Debtor from participating in or sharing in any distribution in this case.

12. The pre-fixed, proposed Bar Date Order further provides that claims already filed or listed in the Debtor's schedules as not being contingent, disputed or un-liquidated are excepted from the provisions of said order and are not required to be filed before the Bar Date, as are claims of professionals duly retained pursuant to orders of retention signed by the Court pursuant to § 327 of the Bankruptcy Code.

13. In addition, claims of governmental units under § 507(a)(8) of the Bankruptcy Code shall also be excepted from this provision in accordance with § 502(b)(9) of the Bankruptcy Code.

14. Finally, the proposed Bar Date Order provides that a notice (the "Bar Date Notice") substantially in the form annexed hereto as **Exhibit "B"** shall be mailed by regular mail on or before a date to be fixed by the Court to all persons who are believed to have claims of any kind against the Debtor, including: (i) parties listed in the schedules heretofore filed by the Debtor; (ii) all parties filing notices of appearance herein; (iii) the Debtor's taxing authorities; and (iv) the Office of the United States Trustee, so that those entities entitled to notice shall receive at least thirty-five (35) days' notice of the Bar Date. It is respectfully requested that said form of notice also be approved.

15. No prior request for the relief sought herein has been made heretofore.

16. No trustee or examiner has been appointed in this Chapter 11 case. Notice of this application has been provided by first-class mail to: (i) the U.S. Trustee; (ii) counsel to Debtor's

post-petition secured lenders; (iii) all parties requiring service pursuant to any applicable bankruptcy rule or local bankruptcy rule. The Debtor submits no other or further notice need be provided.

WHEREFORE, the Debtor respectfully requests that (1) the Court fix the Bar Date, (2) the proposed Bar Date Order be approved and entered herein, and (3) the Bar Date Notice be approved, together with such other and further relief as to this Court may seem just and proper under the circumstances.

Dated: White Plains, New York
April 30, 2019

Respectfully submitted,

By: /s/ Irene M. Costello
Irene M. Costello, Esq.
Cabanillas & Associates, P.C.
Attorneys for the Debtors
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